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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,863	01/21/2005	Elmo Diederiks	NL 020680	1265
24737	7590	11/07/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			BLOOM, NATHAN J	
P.O. BOX 3001			ART UNIT	
BRIARCLIFF MANOR, NY 10510			PAPER NUMBER	

2112

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/521,863

Applicant(s)

DIEDERIKS ET AL.

Examiner

Nathan Bloom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/21/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,5, and 7-9 are rejected under 35 U.S.C. 102(a) and (e) as being anticipated by McClure (US 7006129).

Instant claim 1 encompasses a viewing system comprising a display means connected to an imaging system. The display shows an image based on the signals received from the imaging system. Furthermore, the viewing system has a sensor, which determines the adjustable display's orientation. Based on this orientation the viewing system sends a signal to the imaging system's (camera's) orientation adjusting means to appropriately adjust the imaging system's orientation. McClure discloses in lines 18-62 of column 2, a display system comprised of a camera (imaging system) connected to a display, which displays the video image captured by the camera. Furthermore the orientation of the camera (imaging system) is controlled by an adjustable orientation means (servo system), which is adjusted based upon the output of a position sensor in the adjustable display device.

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Instant claim 2 encompasses the viewing system of claim 1 with an imaging system that has one or more cameras positioned to view behind, interior, tire, and/or a blind angle of the vehicle. This is clearly anticipated by McClure, which discloses in lines 18-62 of column 2 the positioning of a camera so that a rear-view image is obtained.

Instant claim 3 encompasses the viewing system of claim 1 with a means to process the image from the camera. This is anticipated by McClure, which discloses in lines 18-62 of column 2 the reversal of the image taken at the camera (also shown in Lines 23-41, Column 5) such that the image displayed for the user is the mirror image of what is being recorded by the rearview camera. In order to reverse the image taken by the camera it is known by one skilled in the art that it is necessary to perform operations on the image, or in other words to process the image. Furthermore, it is known by one skilled in the art that in order to process an image a structure or means must exist such that this processing can be accomplished. Within the same lines as cited above from McClure, it is disclosed that it will be necessary to have a driving circuit with logic to display the image as well as to reverse the image to be displayed. Therefore, the image processing means as encompassed by claim 3 is anticipated by McClure.

Instant claim 5 encompasses the viewing system of claim 1 with the processing means of claim 3 arranged so that one can display one or more images serially or in combination on the display means (display means is singular). The means to display one image on the display means is clearly anticipated by McClure in lines 18-62 of column 2.

Instant claim 7 encompasses the viewing system of claim 1 with the limitation that the display means is or is part of the rear-view mirror in a vehicle. McClure

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discloses the mounting of the display means as a conventional rear-view mirror in lines 18-30 of column 2.

Instant claim 8 encompasses the viewing system of claim 1 with the addition of the display means being adjustable in a tilt and pan direction. The document by McClure in lines 41-62 of column 2 discloses that the adjustments of the display device in turn adjusts the camera in the same direction and in lines 51-65 of column 2 that the rear-view mirror display device will be mounted and operate like a conventional rear-view mirror. Knowing that a conventional rear-view mirror is capable of being rotated in the tilt and pan directions, and that McClure discloses that the user will be able to operate this rear-view display system as if it were a conventional rear-view mirror it then becomes clear that the rear-view mirror display system as disclosed by McClure moves in the tilt and pan directions.

Instant claim 9 encompasses the viewing system of claim 1 with the additional requirement of the processing means to eliminate the "high lights" in the image. These "high lights" were interpreted to mean the bright lights of vehicles that are pointed at or in the general direction of the camera. The means of eliminating is included in McClure's invention and is disclosed by McClure in Lines 38-44 of Column 7 as already being known in the art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield (PGPub US 2002/0003571 A1) in further view of McClure (US 7006129).

Instant claim 4 encompasses the viewing system of claim 1 and the processing means of claim 3 with the additional requirement that the processing means are arranged to process and display the additional information regarding the status of the vehicle or its surroundings. Schofield at paragraphs 4-6 of page 1 figures 1-9, 76, 108-115, and paragraphs 10-23 page 2+ discloses a rear-view mirror display system that processes and displays images of the area behind the vehicle using a rearward facing camera attached to the back of the vehicle. The purpose of this camera and display system is to provide the driver with an image of the blind spot that exists behind the vehicle. Furthermore, Schofield discloses that the rear-view mirror display system processes and displays information regarding to the status of the vehicle or its surroundings.

Instant claim 6 encompasses the viewing system of claim 1 with the processing means of claim 4 with the additional limitation of a means for selecting which image and/or additional information is displayed by the display means. Schofield discloses the additional limitations of the viewing system from instant claim 6 in paragraphs 63 and 305-306. In this section of the document, Schofield discloses that the display system has means to select and display what information or images are to be displayed on the rear-view mirror display system.

However, Schofield did not disclose the ability to sense the adjustment of the mirror's orientation and then accordingly adjust the rearward-facing camera using an

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orientation means so that the image being viewed on the display would be that of a conventional rear-view mirror adjusted in the same manner.

McClure in Lines 18-62 of Column 2 discloses a rear-view mirror display system such that the display system (rearview mirror) is adjustable. This rear-view mirror display contains a sensor that detects adjustments to the position of the display and then sends signals to the camera servo system. The camera servo system then adjusts the angular orientation of the camera accordingly such that the image changes on the rear-view display just as if the user had adjusted a conventional rear-view display. The advantages to having McClure's adjustable rearview display system are that it allows a single camera to be capable of covering a larger blind spot and allows the user to adjust the camera to provide the user with a preferred view of the area behind the vehicle.

It would have been obvious to one skilled in the art to combine the teachings of Schofield with the teachings of McClure. Both reference are directed to rearview display systems used to enhance the driver's awareness of the vehicle and its surroundings. Both solve the problem of increasing driver awareness in the same manner, by providing the driver with a rearview display system. However, there is a single major difference between these two references which is the adjustable orientation taught by McClure. This additional feature taught by McClure and described in the previous paragraph would have been obvious to one skilled in the art to combine with the system as described by Schofield so as to provide the driver with the enhanced viewing ability of McClure by providing the user with a convenient means to adjust the rearward camera's orientation and hence the user's viewing area.

Additional Notes

The following references are relevant to the instant invention:

Ley (GB 2327823) in the final three paragraphs of page 3 discloses a means to display multiple images in serial or parallel format on a rear-view display device, which is relevant to the "or more" limitation of instant claim 5.

Schofield (PGPub US 2002/0003571 A1) discloses the use of multiple cameras in different positions at paragraph 4 with the addition of a sideline and baby-monitoring camera. Also, Ley at page 3 of the final paragraph and page 5 discloses the use of multiple cameras for a rear view display system. Both are relevant to the limitations of instant claim 2.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Bloom whose telephone number is 571-272-9321. The examiner can normally be reached on Monday through Thursday from 7:30 am to 5:00 pm (EST). The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker, can be reached on 571-272-0911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nathan Bloom

10/27/2006



JEFFREY STUCKER
SUPERVISORY PATENT EXAMINER